

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|--|---|-----------------------|
| ARBUTUS BIOPHARMA CORPORATION |) | |
| and GENEVANT SCIENCES GmbH, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | C.A. No. 22-252 (MSG) |
| |) | |
| MODERNA, INC. and MODERNATX, INC. |) | |
| |) | |
| Defendants. |) | |
| <hr/> MODERNA, INC. and MODERNATX, INC., |) | |
| |) | |
| Counterclaim-Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | |
| ARBUTUS BIOPHARMA CORPORATION |) | |
| and GENEVANT SCIENCES GmbH, |) | |
| |) | |
| Counterclaim-Defendants. |) | |

STIPULATION TO EXTEND TIME

WHEREAS, on June 20, 2024, the Court granted Plaintiffs leave to extend the discovery period to July 17, 2024 solely to permit Plaintiffs to serve subpoenas on various third-party manufacturers (D.I. 355);

WHEREAS, Plaintiffs subsequently served subpoenas on four of the manufacturers located in the United States (D.I. 380-383);

WHEREAS, the parties previously stipulated to extend the deadline for the completion of fact discovery related to the subpoenas to Lonza Biologics, Inc., Catalent Indiana, LLC; Patheon Manufacturing Services, LLC, and Baxter Pharmaceutical Solutions, LLC through August 23, 2024;

WHEREAS, these third parties have not yet completed production but are continuing to meet and confer with Plaintiffs regarding the production of responsive documents;

WHEREAS, pursuant to D. Del. LR 16.4, counsel certifies that copies of this stipulation have been sent to their respective clients;

NOW THEREFORE, the parties hereby stipulate and agree, subject to the approval of the Court, that the deadline for the completion of fact discovery relating to the subpoenas to Lonza Biologics, Inc., Catalent Indiana, LLC; Patheon Manufacturing Services, LLC, and Baxter Pharmaceutical Solutions, LLC is extended through and including September 27, 2024. No other deadlines are affected by this stipulation

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Attorneys for Defendants

August 23, 2024

SO ORDERED this ____ day of August 2024

U.S.D.J